DOCUMENT RESUME

ED 202 614 RC 012 686

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TITLE Reorganization of School Districts: Late 1950's to Present Time.
PUB DATE 9 Nov 80
NOTE 8p.; Paper presented at the Annual Kansas State University Rural and Small School Conference (2nd, Manhattan, KS, November 9-11, 1980).

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS Advisory Committees; *Consolidated Schools; Educational Finance; Educational Legislation; Elementary Secondary Education; *Rural Schools; School Closing; *School District Reorganization; School Surveys; *Small Schools; State Legislation; *State School District Relationship
IDENTIFIERS *Kansas; *Planning Boards

ABSTRACT

In 1958, as a result of a preliminary report on educational needs, the education committee of the Kansas Legislative Council: (1) appropriated funds for a comprehensive survey of the State's educational system; (2) selected a 35 member citizens state advisory committee; and (3) directed each county to organize a county survey group which was to plan the kind of education needed by its children to live successfully during this century, to examine the adequacy of present education programs, and to determine how to make necessary changes. As a result of the survey, legislation set up county planning boards to plan unification of school districts. Board recommendations were submitted to the people for approval. Several clarifying acts solved numerous problems. By July 1969, there were 311 unified school districts operating under the same laws. Additional legislation abolished the offices of State Superintendent and County Superintendent and created a 10 member elected board responsible for education and for hiring a Commissioner of Education. Two volatile problems encountered in the unification process were the closing of attendance centers and the transfer of territory. A brief explanation of how legislation is submitted and adopted or rejected by the House Education Committee is included. (CM)

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ED202614

RC 012686

Reorganization of School Districts

Late 1950's to Present Time

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What is a rural/small school? How big can it be? What is the criteria used for a rural setting? Is it a rural school when one-half or more of the students live outside the city limits? Is it a rural school when rural property becomes a major part of a school district? We know of school districts that lie strictly within the city limits. These of course in no way would be considered rural.

We in the Legislature try to treat all school districts alike. We have, however, run into differences especially between urban and rural forces on school finance. It has been more pronounced in the past 3 years because the urban Legislators have thought the rural schools have received an advantage. The rural legislators have resisted the changing of the formula to give additional funds to the urban school.

I gave considerable thought as to what we might discuss that would be of interest to you. The Commissioner will undoubtedly visit with you about the State Board and Department and Representative Weaver will probably visit with you in regard to school finance. In the past few years we have had numerous opportunities to visit with school personnel that are young enough or from other states that are not familiar with some of the problems we have been faced with in Kansas. I therefore thought it might be helpful to review some of these problems the Legislature has undertaken to resolve since the middle 50's. Fred and I have been invclved with these issues for the past 10 years and I know I have been involved with them since the middle 50's.

A comprehensive survey was conducted in the late 1950's. It was an

Paper presented at the Second Annual Kansas State University Rural and Small School Conference, November 9-11, 1980, Manhattan, Kansas.

outgrowth of Legislative consideration of various school problems. A broad study of educational needs of the State was begun in 1955. During 1956-57 a series of conferences were held with interested persons on the problems in elementary and secondary education as well as those in higher education. As a result a preliminary report was submitted to the legislature in 1958 to conduct a comprehensive survey of the educational system in the State of Kansas.

Reacting to this report the 1958 budget session of the Legislature accepted the recommendation and appropriated funds for the survey. They contracted with Dr. Domain to direct the elementary and secondary study and Dr. Keller to conduct the survey on higher education. Both of these gentlemen were on the staff at the University of Minnesota. My remarks from here on will be with the study on elementary and secondary problems.

I might explain that at the time this was taking place the Legislature met in session only every other year. They appointed certain members to a Legislative Council to meet in the off year for budget purposes and other pertinent problems.

The education committee of the Legislative Council determined there should be maximum participation in the survey. It selected a 35 member citizens state advisory committee who represented a cross section of Kansas geographically and occupationally.

In addition, each county organized a county survey group. Three tasks were assigned each county committee: Task I was to plan the kind of education needed by the children in their county to live successfully in the last half of the century: Task II -- Examine the adequacy of the education programs in the schools of the country: Task III -- Determine how to shift from Task II to Task I.

Tremendous amounts of data were collected and analyzed by the staff for the surveys. The conclusions of Dr. Domain and his staff were far from unanimous, in fact several of us filed minority reports on several points.

In 1958 we had 2800 school districts in Kansas. Many of these were one and two teacher rural schools. Only 237 of the 2800 districts provided a unified program thru elementary and secondary grades. Of these 237 having both grade and high school only 38 had enrollments of 1200 students or more and in fact only 68 had enrollments exceeding 600 students.

The goal and recommendation of Dr. Domain was a school system of 1200 students in Grades 1 thru 12. It was difficult and practically impossible, because of sparse population, to have 1200 students in some school systems. His recommendation for school systems with less than 1200 students, because of geographic conditions, the State should be obligated to provide additional funds. Every school system should provide a complete educational program with emphasis on library facilities and a complete high school education program with a variety of subjects.

They concluded that the present system of school district organization in Kansas did not permit school systems of the size proposed. From 1943 to 1958 the number of school districts had declined from 8400 to 2800. This might appear impressive except for the fact that in September 1958 less than 1 1/2% of the school districts qualified on the basis of minimum standards for acceptable districts.

Various methods had been used in other states to effect district reorganization, however, legislation was the only successful method to completely change.

The recommendation of Dr. Domain for the re-organization was that the Legislature establish a school district for each county to go into effect at

the end of two years. During this two year period counties could substitute alternate plans which conformed to standards established by the State Superintendent.

In 1958 the State support for schools was 22.6% with 74% coming from local sources and approximately 3% from Federal funds. The recommendation from this report was to increase state support to 40%.

As a result of the comprehensive educational survey the first step in unification was taken in 1961 with the enactment of SB400. Before it went into effect the Kansas Supreme Court declared it to be unconsitutional. Even though it was declared unconstitutional, it served a valuable purpose. As I recall, the reason for the unconstitutionality of SB400 was that it did not give powers to the constitutional office of State Superintendent. Most of the provisions in the Bill appeared in later Legislation.

In 1963, HB377, the first of the unification laws was enacted. It was also challenged in court but was declared to be constitutional.

This Bill set up 106 planning commissions, 1 for each county and 2 in Johnson County. Planning unit boundaries were not county lines but school district lines with the home county where the school district buildings were located.

The planning boards were instructed by Law to 1. make a complete study of all school districts in the planning unit and prepare a summary for all patrons on or before January 1, 1964. 2. formulate plans for one or more school districts to meet the following: each district have at least 200 square miles of territory and at least 2 million valuation. These recommendations were to be submitted to the State Superintendent on or before March 1, 1964.

Planning board recommendations approved by the State Superintendent had

to be submitted to the people for approval. Cities of the first and second class voted separately as did those in the rural areas and it had to carry in both areas before the plan could go into effect.

Provisions in the law also provided that districts could be organized by petitions to the State Superintendent.

Several clarifying acts were enacted to solve numerous problems so that by July, 1969 there were 311 school districts in the State, all unified and operating under the same set of laws.

In addition to the unification laws passed in the 1960's to bring us to the position we are in at the present time, other changes were made.

A constitutional amendment abolished the office of State Superintendent and created a 10 member elected board of education as the constitutional body responsible for education in Kansas. This body is responsible for hiring the Commissioner of Education to carry out their policies.

Legislation also abolished the office of County Superintendents.

Two of the most volatile problems in unification were the closing of attendance centers and the transfer of territory. Before the unification law was passed any individual could apply to transfer their territory from one district to another. County Superintendents, directly affected, were the hearing officers and made the decison. In almost all cases the State Superintendent would approve the recommendation of the County Superintendent. Under unification this right of the individual was taken away and to transfer territory at least one of the boards of education had to make the application for transfer.

The other major problem was the closing of attendance centers. This is still a very emotional issue for some people and almost every year we get some kind of legislation affecting closing of schools.

A section of the unification law provided that a district school board could not close an attendance facility that was being operated at the time the unified district was organized if at least 3/4 of the territory of the district that formerly owned such buildings was included in the unified district. To close the attendance center the board had to get the approval of the majority of electors in the original district either by petition or a vote.

This is still a very controversial subject and especially to me. I served as chairman and member of the county planning boards in Thomas County. At all the hearings in every school district in the county we assured the people that they would have a vote to close their attendance centers. I have always considered that my word was my bond. Therefore, I cannot in true conscience vote for bills that will allow the closing of attendance centers by school district officials even though I believe in some cases they should have that authority. Many people voted for the reorganization plan because of this one stipulation.

In visiting with Dr. Horn last week he suggested I tell how Legislation is submitted and adopted or rejected by the House Education Committee.

As an individual you can contact your Representative or Senator and ask them to introduce legislation. If they think it is appropriate, they can introduce an individual bill and if it deals with education then it very likely will be assigned to the Education Committee.

In the case of legislation requested by the State Board of Education, the chairman of the House and Senate Committees will meet with Commissioner Bolton and his staff and divide the subjects so that some will be introduced in both Houses as committee bills.

Education is a lot different than most of the other committees in that there are a number of organizations wanting Legislation. These organizations

include KASB, KNEA, United School Aministrators, Schools for Quality Education, PTA and others.

In the House the Chairman will generally appoint a sub committee to meet with members of these organizations to hear their proposals and this subcomittee will either recommend approval or disapproval of these proposals as committee bills.

If a very controversial subject is asked for the committee will generally ask the organization to get an individual legislator to sponsor the legislation. An example of this is bills on binding arbitration.

After the proposals are drafted by the revisor of statutes office they are introduced and generally assigned back to the committee on education. Public hearings by the committee are scheduled and announced the preceding week before the hearing. All hearings are open and testimony will be heard from anyone requesting it.

After the hearings, but generally not the same day, the committee will discuss and take action. If it is affirmative then the bill goes to the floor of the house for action by the entire body. If the measure passed on the floor of the House it then goes to the Senate for the same action, committee hearings and then to the floor of the Senate for action.

This is a very abbreviated explanation, but in the essence of time we will close.

We appreciate the opportunity to be with you and wish you well throughout this seminar.

Don E. Crumbaker received his B.S. from Kansas State University and his M.S. from Iowa State University in Plant Breeding. He is the manager and partner of Marshall Farms at Brewster. He is serving his 6th year in the House of Representatives.